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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,280	09/21/2000	Kyoung Ro Yoon	P-127	8463
34610	7590	08/12/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			DUONG, OANH L	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/666,280

Applicant(s)

YOON ET AL

Examiner

Oanh Duong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09/21/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04/05/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

AD

DETAILED ACTION

1. Claims 1-40 have been canceled.

Claims 41-50 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 41 and 47-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Williams et al. (Williams) (US 5,945,988).

Regarding claim 41, Williams teaches a method for describing a user's preferences pertaining to consumption of multimedia content (Fig. 7), comprising:

describing person information to identify each user (i.e., user name, Fig. 7 col. 5 line 37);

describing user preference information of the identified user, wherein the user preference information includes one or more individual user preference information (i.e., user preference information, col. 5 lines 41), each individual user preference information including a plurality of preference items (i.e., channel, volume, program genre, col. 6 line 11) and corresponding preference value for each preference item (i.e., weighted values, col. 9 lines 43-63), and a update type that indicates whether the user preference information is automatically updated or not (i.e., continuously monitors the user interaction with system to update and refine the user preference information, col. 7 lines 52-62).

Regarding claim 47, Williams teaches a method for describing a user preferences pertaining to consumption of multimedia content (Fig. 7), comprising:

describing person information to identify to said user (i.e., user name, Fig. 7 col. 5 line 37);

describing user preference information of the identified user, wherein the user preference information includes one or more individual user preference information (i.e., user preference information, col. 5 lines 41), each individual user preference information including a plurality of preference items (i.e., channel, volume, program genre, col. 6

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line 11) and corresponding preference value for each preference item (i.e., weighted values, col. 9 lines 43-63), each individual user preference information including a preference condition under which said individual user preference information uses (col. 5 lines 30-col. 6 line 32).

Regarding claim 48, Williams teaches the method according to claim 47, wherein each preference item is used for searching for filtering multimedia contents (col. 10 line 60-col. 11 line 19).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 42-45 and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Fruensgaard et al. (Fruensgaard) (US 2002/0052880) (previously listed).

Regarding claim 42, Williams teaches the method according to claim 41.

Williams does not explicitly teach preference items have hierarchical relationships.

Fruensgaard teaches the user preference information include a plurality of preference items (see page 2 40-44 and page 3 paragraph 50). Fruensgaard teaches preference items have hierarchical relationships (page 3 paragraph 61).

It would have been obvious to one having ordinary skill in the art at the time the invention to incorporate hierarchical relationships of preference items of Fruensgaard in the process of creating user preferences in Williams. One would be motivated to do so to allow an interesting piece of information to be located faster since a hierarchical relationship would in itself describe topics in the context of other topics with respect to generalized or specified placement (Fruensgaard, page 2 paragraph 40).

Claim 43 represents the hierarchical relationships that is parallel to claim 42. Claim 43 does not teach or define any new limitation above claim 42 and therefore is rejected for similar reasons.

Regarding claim 44, Williams teaches a method for describing a user preferences pertaining to consumption of multimedia content (Fig. 7), comprising:

describing person information to identify said user (i.e., user name, Fig. 7 col. 5 line 37);

describing user preference information of said identified user, the user preference information includes one or more individual user preference information (i.e., user preference information, col. 5 lines 41), each individual user preference information including a plurality of preference items (i.e., channel, volume, program genre, col. 6

line 11) and corresponding preference value for each preference item (i.e., weighted values, col. 9 lines 43-63)

William does not explicitly teach a plurality of preference items within single individual user preference information have hierarchical relationships.

Fruensgaard teaches the user preference information include a plurality of preference items (see page 2 40-44 and page 3 paragraph 50). Fruensgaard teaches preference items have hierarchical relationships (page 3 paragraph 61).

It would have been obvious to one having ordinary skill in the art at the time the invention to incorporate hierarchical relationships of preference items of Fruensgaard in the process of creating user preferences in Williams. One would be motivated to do so to allow an interesting piece of information to be located faster since a hierarchical relationship would in itself describe topics in the context of other topics with respect to generalized or specified placement (Fruensgaard, page 2 paragraph 40).

Claim 45 represents the hierarchical relationships that is parallel to claim 42. Claim 43 does not teach or define any new limitation above claim 42 and therefore is rejected for similar reasons.

Claim 49 represents the hierarchical relationships that is parallel to claim 42. Claim 49 does not teach or define any new limitation above claim 42 and therefore is rejected for similar reasons.

Claim 50 represents the hierarchical relationships that is parallel to claim 42. Claim 50 does not teach or define any new limitation above claim 42 and therefore is rejected for similar reasons.

4. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Fruensgaard et al. (Fruensgaard) in further view of Uppala (SU 6,279,007 B1)

Regarding claim 46, Williams teaches the method according to claim 45.

The combination of teachings of Williams and Fruensgaard does not explicitly teach teaches if a preference item is located in more than one sub-tree of the user preference information, the preference values for said preference item in the different sub-tree of the user preference information are not identical values.

Uppala teaches architecture for managing query friendly hierarchical values (see abstract). Uppala teaches if a preference item is located in more than one sub-tree of the user preference information, the preference values for said preference item in the different sub-tree of the user preference information are not identical values. (Col. 6 lines 40-43 Figs 6 and 7B).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Williams-Fruensgaard to assign different values to the same item located in different subtree as in Uppala. One would be motivated to do so to allow complex queries on data store to be processed quickly (Uppala, col. 2 lines 58-59).

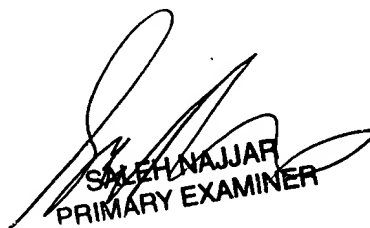
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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 2:00PM - 10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.D
August 7, 2005


SALEH NAJJAR
PRIMARY EXAMINER